

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Elaine M. Clark,

Plaintiff,

v.

Focus Receivables Management, LLC  
c/o CT Corporation System  
1201 Peachtree Street, N.E.  
Atlanta, GA 30361,

Defendant.

Case No.

**COMPLAINT FOR VIOLATIONS OF  
THE FAIR DEBT COLLECTION  
PRACTICES ACT**

**Jury Demand Requested**

Now comes Plaintiff, by and through her attorneys, and, for his Complaint, alleges as follows:

**JURISDICTION AND VENUE**

- 1- This Court has jurisdiction under 28 U.S.C. §1331 and §1337, 15 U.S.C. § 1692k(d).
- 2- Venue in this District is proper because defendant transacts business here.

**PARTIES**

- 3- Plaintiff incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the "Debt").
- 4- Plaintiff is a resident of the State of the Illinois.
- 5- Defendant is a corporation with its principal office in the State of Georgia.
- 6- Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.
- 7- Defendant regularly attempts to collect, or attempts to collect, debts owed or due another.
- 8- At all times relevant, Defendant owned the Debt or was retained to collect the Debt.
- 9- Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.

**FACTS COMMON TO ALL COUNTS**

10- On or around September 16, 2013, Defendant communicated with Plaintiff.

11- During this communication, Defendant refused to provide any information to Plaintiff unless Plaintiff verified her identity.

12- During this communication, Plaintiff confirmed her address and last four digits of her social security number.

13- During this communication, after Plaintiff confirmed her information, Defendant stated that it was calling about a debt and falsely represented that Plaintiff would be sued if Plaintiff did not agree to pay the Debt.

14- Defendant damaged Plaintiff.

15- Defendant violated the FDCPA.

**COUNT I**

16- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

17- Defendant violated 15 USC § 1692e(5) by threatening to take action that could not be legally taken at the time.

**COUNT II**

18- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

19- Defendant violated 15 USC § 1692e(5) by threatening to take action that Defendant did not intend to take at the time.

**COUNT III**

20- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

21- Defendant violated 15 USC § 1692e(10) by using false representation or deceptive means to collect a debt.

**COUNT IV**

22- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

23- Defendant violated 15 USC § 1692f by engaging in unfair and/or unconscionable means to collect, or attempt to collect, a debt.

**JURY DEMAND**

24- Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

25- Plaintiff prays for the following relief:

- a- Judgment against Defendant for Plaintiff's actual damages, as determined at trial, suffered as a direct and proximate result Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(1);
- b- Judgment against Defendant for \$1,000 in statutory damages for Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(2)(A);
- c- Judgment against Defendant for Plaintiff's reasonable attorneys' fees and costs incurred in this action, pursuant to 15 U.S.C. §1692k(a)(3); and
- d- Any other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Meier LLC

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